

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRANCIS PERUGI TOURS, INC.

Plaintiff,

05 Civ. 4959 (PKC)

-against-

ORDER

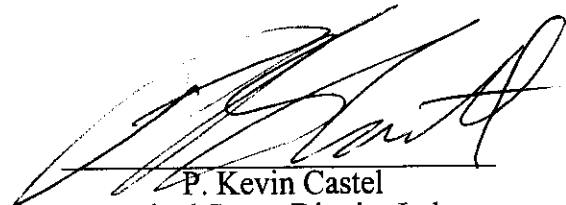
ATLANTIC DETROIT DIESEL-ALLISON,  
LLC

Defendant.  
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P. KEVIN CASTEL, District Judge:

Plaintiff Francis Perugi Tours, Inc. brings this action against Atlantic Detroit Diesel-Allison, LLC invoking subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332. If Atlantic Detroit Diesel-Allison, LLC is, indeed, a limited liability company, as its name would imply, then the complaint must allege the citizenship of natural persons who are members of the limited liability company and the place of incorporation and principal place of business of any corporate entities who are members of the limited liability company. By June 17, 2005, plaintiff shall amend its pleading to allege the citizenship of each constituent person or entity. See Handelsman v. Bedford Village Associates Ltd. Partnership, 213 F.3d 48, 51-52 (2d Cir. 2000), citing Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir.1998); Strother v. Harte, 171 F.Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”). If, by the foregoing date, plaintiff is unable to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC (or demonstrate that the entity is not an LLC despite the designation as such), then the complaint will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.



P. Kevin Castel  
United States District Judge

New York, New York  
May 26, 2005